

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES

v.

AMANDO MONTEIRO, BRIMA WURIE,  
ANGELO BRANDAO, LOUIS RODRIGUES,  
MANUEL LOPES, and VALDIR FERNANDES,  
Defendants

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) CRIMINAL NO. 03-10329-PBS  
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**MOTION TO COMPEL DISCOVERY IN COMPLIANCE WITH COURT ORDER**

Now come the defendants in the above-captioned matter and move this Honorable Court to order that the government produce within fourteen (14) days the gang information which Judge Collings ordered, on July 26, 2005, be “either turned over to counsel or submitted to the Court for *in camera* inspection ***on or before the close of business on Monday, August 22, 2005.***” Specifically, Judge Collings ordered that the government procure the following information from the Boston Police Department:

All records from the Boston Police Anti-Gang Violence Unit which purport to list the names of known gangs within the City of Boston within the time frame stated in the Indictment which do not contain the name of the Stonehurst Gang and/or the Wendover Gang.

All records from the Boston Police Anti-Gang Violence Unit which purport to list the names of members of the Stonehurst Gang and/or the Wendover Gang during the time frame set forth in the Indictment which do not list the defendant Angelo Brandao as a member.

All records from the Boston Police Anti-Gang Violence Unit in the form of FIO Reports and all Incident Reports written during the time frame set forth in the Indictment which under the entry “Gang Information” list the name of the Stonehurst Gang and/or the Wendover Gang.

All records from the Boston Police Anti-Gang Violence Unit in the form of "Subject Profiles" generated during the time frame set forth in the Indictment which either are of the defendant Angelo Brandao and/or list under the term "Gang Affiliation" the name of the Stonehurst Gang and/or the Wendover Gang.

All records from the Boston Police Anti-Gang Violence Unit in the form of "Activity/Intelligence Reports" generated during the time frame set forth in the Indictment which refer to the defendant Angelo Brandao and/or the Stonehurst Gang and/or the Wendover Gang.

The government has blatantly ignored this order. It has not yet provided this information to defense counsel, nor – to defense counsel's knowledge – has it submitted it to the court for *in camera* inspection, in spite of several requests by counsel.

The gang information ordered by Judge Collings is critically important to the defense of these RICO charges, and is potentially exculpatory. Defendants request that the government be ordered to comply with Judge Collings' order by November 30, 2005 and to provide on that date an affidavit from the Assistant U.S. Attorney stating that he has consulted with the Boston Police Anti-Gang Violence Unit and the Boston Police Department to ensure that all records responsive to Judge Collings' order have been produced; and further that the government be informed that failure to comply with said order will result in dismissal of all charges against all defendants.

Respectfully submitted,  
AMANDO MONTEIRO,  
By his attorney,

/s/ E. Peter Parker  
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BRIMA WURIE,  
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/s/Elizabeth A. Lunt

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/s/ Joan M. Griffin

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/s/ Joseph F. Savage, Jr.

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/s/ Valerie S. Carter  
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Dated: November 16, 2005

**Certificate of Service**

This is to certify that I have this 16<sup>th</sup> day of November served upon the persons referenced below a copy of the foregoing document by efileing:

All counsel of record.

/s/ Elizabeth A. Lunt  
Elizabeth A. Lunt